

EXHIBIT

A

NO. 2021CI02331

YAZAN A. ABDELKARIM SHAREF
Plaintiff,

V.

RELIANCE DELIVERY COMPANY,
LLC.,
Defendant.

§
§
§
§
§
§
§

IN THE DISTRICT COURT

37TH JUDICIAL DISTRICT

BEXAR COUNTY, TEXAS

DEFENDANT'S ORIGINAL ANSWER

NOW COMES Defendant, Reliance Delivery Company, LLC, named Defendant in the above-entitled and numbered cause, and files this Original Answer, and shows the Court:

GENERAL DENIAL

Defendant denies each and every allegation of Plaintiff's Original Complaint, and demands strict proof thereof as required by the Texas Rules of Civil Procedure.

PRAYER

Defendant prays the Court, after notice and hearing or trial, enters judgment in favor of Defendant, awards Defendant the costs of court, attorney's fees, and such other and further relief as Defendant may be entitled to in law or in equity.

Respectfully submitted,

By: /s/ Carlo Garcia

Carlo Garcia

State Bar No: 00790744

Scott E. McCarty

State Bar No. 24094826

OLIVA SAKS GARCIA & CURIEL LLP

14255 Blanco Rd.

San Antonio, TX 78216

T: 210-308-6600

F: 210-308-6939

E-mail: cglaw@osgclaw.com

E-mail: semccarty@osgclaw.com

Attorneys for Defendant
Reliance Delivery Company, LLC

CERTIFICATE OF SERVICE

I certify that on April 19, 2021 a copy of the foregoing document was served on all attorneys of record in this cause follows:

Yazan Abdullah Abdelkarim Sharef
601 N. Santa Rosa, Apt. B2
San Antonio, Texas 78207
yazansharef@icloud.com

via e-service and First Class Mail

/s/ Carlo Garcia

CARLO GARCIA



2021CI02331 S00001

Case Number: 2021-CI-02331

YAZAN A A SHAREF

vs.

RELIANCE DELIVERY COMPANY LLC

(Note Attached document may contain additional litigants).

IN THE DISTRICT COURT
37th JUDICIAL DISTRICT
BEXAR COUNTY, TEXAS

CITATION

"THE STATE OF TEXAS"

DIRECTED TO: RELIANCE DELIVERY COMPANY LLC

**AFFIDAVIT OF
INABILITY**

13401 SUNSET BAY LANE
PEARLAND TX 77584-2174

"You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this CITATION and PETITION, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org." Said ORIGINAL COMPLAINT was filed on the 4th day of February, 2021.

ISSUED UNDER MY HAND AND SEAL OF SAID COURT ON THIS 29TH DAY OF March A.D., 2021.

YAZAN A ABDELKARIM SHAREF
ATTORNEY FOR PROPIA PERSONA
601 N SANTA ROSA B2
SAN ANTONIO, TX 78207



Mary Angie Garcia
Bexar County District Clerk
101 W. Nueva, Suite 217
San Antonio, Texas 78205

By: *Alexandra Johnson*, Deputy

YAZAN A A SHAREF
vs
RELIANCE DELIVERY COMPANY LLC

Officer's Return

Case Number: 2021-CI-02331
Court: 37th Judicial District Court

Came to hand on the 29th day of March 2021, A.D., at 11:27 o'clock A.M. and EXECUTED (NOT EXECUTED) by CERTIFIED MAIL, on the _____ day of _____ 20____, by delivering to: _____ at 13401 SUNSET BAY LANE PEARLAND TX 77584-2174 a true copy of this Citation, upon which I endorsed that date of delivery, together with the accompanying copy of the CITATION with ORIGINAL COMPLAINT .

Cause of failure to execute this Citation is _____.

Mary Angie Garcia
Clerk of the District Courts of
Bexar County, TX
By: *Alexandra Johnson*, Deputy

2021-CI-02331

037TH JUDICIAL DISTRICT COURT

YAZAN A A SHAREF VS RELIANCE DELIVERY CO

DATE FILED: 02/04/2021

NOTICE: THIS DOCUMENT
CONTAINS SENSITIVE DATA

2021CI02331 -P00001

CAUSE NUMBER:

YAZAN A. ABDELKARIM SHAREF
Plaintiff

vs.

RELIANCE DELIVERY COMPANY, LLC
Defendant

§ IN THE DISTRICT

§ JUDICIAL DISTRICT

§ BEXAR COUNTY

PLAINTIFF'S ORIGINAL COMPLAINT

TO THE HONORABLE JUDGE OF SAID COURT:

Plaintiff, YAZAN A. ABDELKARIM SHAREF ("Plaintiff") files this Plaintiff's Original Complaint, EEOC specifies and gave Letter to Sue, Charge of Discrimination, complaining Defendants, ("Defendant"), RELIANCE DELIVERY COMPANY, LLC and states as follows:

I. DISCOVERY LEVEL

Pursuant to Rules 190.1 and 190.3 of the Texas Rules of Civil Procedure, Plaintiff intends to conduct discovery under Level 2.

II. NATURE OF THE SUIT

This Lawsuit arises from the Plaintiff not receiving the proper treatment while employed with said Defendant, RELIANCE DELIVERY COMPANY, LLC., committing a Charge of Discrimination of Title VII, of the Civil Rights Act of 1964 prohibits employment discrimination on the basis of race, religion or national origin. This discrimination began when Plaintiff was prohibited to return to the United States because of the threat of COVID-19 Pandemic. Plaintiff did not want to commit a failure to comply, which is a criminal offense under the Texas Government Code §418.173. Punishable with incarceration of 180 days and a fine of \$1,000.

Plaintiff is claiming that the Defendant has consistently tried to force Plaintiff to answer his work phone while driving, which he refused because of the set rules according to the DOT rules and regulations. Plaintiff would like to point out that the DOT rules and regulation clearly states: "If a commercial truck driver is found to be texting or otherwise using a hand-held cell phone in violation of these regulations, new penalties will apply. Each offense could result in a \$2,750 fine and drivers found in violation of the regulation multiple times could even lose their commercial driver's license." A new

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INABILITY

DEPUTY

2021 FEB -4 P 4:35

DISTRICT CLERK
BEXAR CO. TEXAS

FILED

COMPLAINT

DOCUMENT SCANNED AS FILED

law has been added to these safety rules, March 1, 2020, applicable violations will carry an additional penalty increases to 10 demerit points during double-demerit periods. OSHA states that employers cannot encourage employees to use cell phones while operating work vehicles. Employers need to properly educate all employees on best practices with tools, machinery, or hazards. Work with or around. OSHA considers "distracted driving" which can include texting (and potentially the use of cell phones for telephone calls) to be a "recognized hazard" under the General Duty Clause to employee safety. Penalties for willful violations of the Act under the General Duty Clause can be as high as \$124,709. OSHA §1926.1417(d) : The operator must not engage in any practice or activity that diverts his/her attention while actually engaged in operating the equipment, such as the use of Commercial Truck/Vehicle.

Plaintiff refused to follow orders demanded by Defendant because he was following the Rules and Regulation put in place by DOT and OSHA. Plaintiff refused to commit these violations, because he did not want to risk having these violations on his Drivers License and being permanently marked so that he will never be able to be employed, driving a Commercial Truck.

Defendant deliberately found cause to either discharge Plaintiff from his employment or exasperate him so that he would voluntarily resign from his position. Defendant was anticipating to conceal their Violating acts, therefore, retaliating against Plaintiff and marking him as a "Whistle blower". Plaintiff had to stand firm and file a complaint with the EEOC in order to investigate the Defendants could not stand by and let the Defendant continue to enforce Violations regulated by DOT and OSHA.

Plaintiff, therefore, is asking for a full Investigation by DOT and OSHA, so that no other employee is being forced to act within those Violations.

Plaintiff was not the only employee that was discharged for not following direct orders. Other employees lost their income to take care of their families because they followed the Rules and Regulation by DOT and OSHA.

III. PARTIES

Plaintiff, YAZAN A. ABDELKARIM SHAREF ("Plaintiff"), residing at 601 N. Santa Rosa, Apt. B2, San Antonio, Tx 78207.

Defendants, ("Defendant"), RELIANCE DELIVERY COMPANY, LLC., business address: Eric Moral, Manager, 13401 Sunset Bay Lane, Pearland, Tx 77584. No Legal Counsel on Record.

IV. JURISDICTION AND VENUE

This Court has subject matter jurisdiction over this lawsuit because the amount in controversy is within the jurisdictional limits of this Court.

Pursuant to Chapter 15 of the TEX. CIV. PRAC. and REM. CODE, venue is proper in Bexar County, Texas in that all or a substantial part of the acts or omissions giving rise to this action, arose in Bexar County, Texas.

V. BACKGROUND

Plaintiff, YAZAN A. ABDELKARIM SHAREF would like to state that he had been put into a very difficult situation when the Defendant, RELIANCE DELIVERY COMPANY, LLC decided to discharge the Plaintiff and committing a Charge of Discrimination of Title VII, of the Civil Rights Act of 1964 prohibits employment discrimination on the basis of race, religion or national origin, and wrongful termination of employment, which is a violation of federal anti-discrimination and a contractual breach.

As stated above, Plaintiff will stand firm with his Complaint and therefore will consistently state the same.

Plaintiff not receiving the proper treatment while employed with said Defendant, RELIANCE DELIVERY COMPANY, LLC., committing a Charge of Discrimination of Title VII, of the Civil Rights Act of 1964 prohibits employment discrimination on the basis of race, religion or national origin. This discrimination began when Plaintiff was prohibited to return to the United States because of the threat of COVID-19 Pandemic. Plaintiff did not want to commit a failure to comply, which is a criminal offense under the Texas Government Code §418.173. Punishable with incarceration of 180 days and a fine of \$1,000.

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around. OSHA considers "distracted driving" which can include texting (and potentially the use of cell phones for telephone calls) to be a "recognized hazard" under the General Duty Clause to employee safety. Penalties for willful violations of the Act under the General Duty Clause can be as high as \$124,709. OSHA §1926.1417(d) : The operator must not engage in any practice or activity that diverts his/her attention while actually engaged in operating the equipment, such as the use of Commercial Truck/Vehicle.

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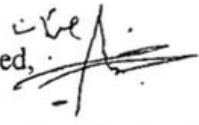

Defendant is refusing to pay the Plaintiff back pay of his unemployment and a consistent unemployment pay until he is able to find employment.

VII. DAMAGES AND OTHER RELIEF REQUESTED

Plaintiff is also seeking compensation for being targeted and retaliated against, loss of income during OVID-19 Pandemic, back pay for refusal of unemployment and continued unemployment pay until Plaintiff sought out other employment. Defendant causing the Plaintiff mental and physical anguish.

Therefore, Plaintiff is seeking the amount of and no less then, Three Hundred and Fifty Thousand Dollars (\$350,000.00), with an additional demand for Defendant, RELIANCE DELIVERY COMPANY, LLC., paying various fines as high as \$124,709, for each Violation, specified and

demanded by the DOT and OSHA, holding Individual Management, Supervisors responsible and therefore being confined and incarcerated for no less then 180 days for each enforced violation.

h i d
Respectfully submitted, 
 2-4-2021

SUBSCRIBED AND SWORN TO
BEFORE ME, 4th day
of February, 2021



NOTARY PUBLIC

My Commission expires: Oct. 24, 2024

YAZAN ABDULLAH ABDELKARIM SHAREF

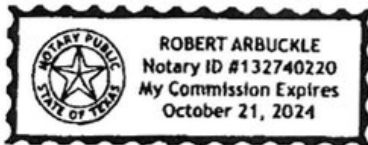
Respondent

601 N. Santa Rosa, Apt. B2

San Antonio, Tx 78207

901-530-8435

yazansharef@icloud.com



**NOTICE: THIS DOCUMENT
CONTAINS SENSITIVE DATA**

CAUSE NUMBER:

YAZAN A. ABDELKARIM SHAREF	§	
Plaintiff	§	IN THE DISTRICT
	§	
vs.	§	____ JUDICIAL DISTRICT
	§	
RELIANCE DELIVERY COMPANY, LLC	§	BEXAR COUNTY
Defendant	§	

ACKNOWLEDGMENT

The State of Texas)
County of Bexar)

Before me, on this day personally appeared YAZAN A. ABDELKARIM SHAREF,
personally known to me or proved to me on the basis of satisfactory evidence to be the person whose
name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for
the purposes and consideration therein expressed.

Given under my hand and official seal this 4th day of February, 2021.

No Legal Counsel on Record.

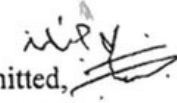
RELIANCE DELIVERY COMPANY, LLC.

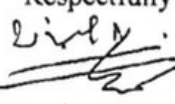
Eric Moral, Manager,
13401 Sunset Bay Lane,
Pearland, Tx 77584.

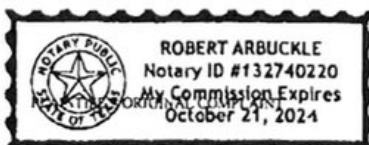
SUBSCRIBED AND SWORN TO
BEFORE ME, 4th day
of February, 2021


NOTARY PUBLIC

My Commission expires: Oct 24, 2024

Respectfully submitted, 

 2-4-2021
YAZAN ABDULLAH ABDELKARIM SHAREF
Respondent
601 N. Santa Rosa, Apt. B2
San Antonio, Tx 78207
901-530-8435
yazansharef@icloud.com



2021-CI-02331

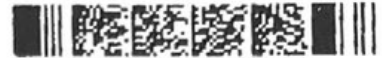
NOTICE: THIS DOCUMENT

037TH JUDICIAL DISTRICT COURT

YAZAN A A SHAREF VS RELIANCE DELIVERY CO.

Cause Number

DATE FILED: 02/04/2021



this form)

Plaintiff: Yazan A Sharef
(Print first and last name of the person filing the lawsuit.)

In the

(check one):

☒ District Court☐ County Court / County Court at Law☐ Justice CourtCourt
NumberDefendant: Reliance Delivery CO
(Print first and last name of the person being sued.)

BEXAR

Texas

County

Statement of Inability to Afford Payment of
Court Costs or an Appeal BondAFFIDAVIT OF
INABILITY

1. Your Information

My full legal name is: YAZAN A. A. SHAREF My date of birth is: 09/14/1991
First Middle Last Month/Day/YearMy address is: (Home) 601 N. Santa Rosa, Apt. B2
(Mailing) San Antonio, Texas 78207My phone number: 901-530-8435 My email: yazansherif@icloud.com

About my dependents: "The people who depend on me financially are listed below."

Name	Age	Relationship to Me
1 <u>Hanan Yazan Sharef</u>	<u>4</u>	<u>Daughter</u>
2 <u>Abdullah Yazan Sharef</u>	<u>2</u>	<u>Son</u>
3		
4		
5		
6		

2. Are you represented by Legal Aid?

☐ I am being represented in this case for free by an attorney who works for a legal aid provider who received my case through a legal aid provider. I have attached the certificate the legal aid provider gave me as 'Exhibit: Legal Aid Certificate.'

-or-

☐ I asked a legal-aid provider to represent me, and the provider determined that I am financially eligible for representation, but the provider could not take my case. I have attached documentation from legal aid stating this.

or-

☒ I am not represented by legal aid. I did not apply for representation by legal aid.

3. Do you receive public benefits?

☒ I do not receive needs-based public benefits. - or -☐ I receive these public benefits/government entitlements that are based on indigency:

(Check ALL boxes that apply and attach proof to this form, such as a copy of an eligibility form or check.)

- ☐ Food stamps/SNAP ☐ TANF ☐ Medicaid ☐ CHIP ☐ SSI ☐ WIC ☐ AABD
- ☐ Public Housing or Section 8 Housing ☐ Low-Income Energy Assistance ☐ Emergency Assistance
- ☐ Telephone Lifeline ☐ Community Care via DADS ☐ LIS in Medicare ("Extra Help")
- ☐ Needs-based VA Pension ☐ Child Care Assistance under Child Care and Development Block Grant
- ☐ County Assistance, County Health Care, or General Assistance (GA)
- ☐ Other: _____

4. What is your monthly income and income sources?

"I get this monthly income:

\$ 0 in monthly wages. I work as a _____ for _____
Your job title Your employer\$ 0 in monthly unemployment. I have been unemployed since (date) _____.\$ 0 in public benefits per month.\$ 0 from other people in my household each month: (List only if other members contribute to your household income.)

\$ 0 from ☐ Retirement/Pension ☐ Tips, bonuses ☐ Disability ☐ Worker's Comp
☐ Social Security ☐ Military Housing ☐ Dividends, interest, royalties
☐ Child/spousal support
☐ My spouse's income or income from another member of my household (If available)

\$ 700 from other jobs/sources of income. (Describe) Door Dash + Food Delivery\$ 700 is my total monthly income.**5. What is the value of your property?**

"My property includes:

	Value*
Cash	\$ <u>0</u>
Bank accounts, other financial assets	
_____	\$ <u>0</u>
_____	\$ <u>0</u>
_____	\$ <u>0</u>
Vehicles (cars, boats) (make and year)	
_____	\$ _____
_____	\$ _____
_____	\$ _____
Other property (like jewelry, stocks, land, another house, etc.)	
_____	\$ _____
_____	\$ _____
_____	\$ _____
Total value of property	→ \$ _____

6. What are your monthly expenses?

"My monthly expenses are:

	Amount
Rent/house payments/maintenance	\$ <u>1101</u>
Food and household supplies	\$ <u>300</u>
Utilities and telephone	\$ <u>150</u>
Clothing and laundry	\$ <u>50</u>
Medical and dental expenses	\$ _____
Insurance (life, health, auto, etc.)	\$ _____
School and child care	\$ _____
Transportation, auto repair, gas	\$ _____
Child / spousal support	\$ <u>590</u>
Wages withheld by court order	\$ _____
Debt payments paid to: (List)	\$ _____
_____	\$ _____
_____	\$ _____
Total Monthly Expenses	→ \$ <u>2191</u>

*The value is the amount the item would sell for less the amount you still owe on it, if anything.

7. Are there debts or other facts explaining your financial situation?

"My debts include: (List debt and amount owed) _____

(If you want the court to consider other facts, such as unusual medical expenses, family emergencies, etc., attach another page to this form labeled "Exhibit: Additional Supporting Facts.") Check here if you attach another page. ☐**8. Declaration**

I declare under penalty of perjury that the foregoing is true and correct. I further swear:

☒ I cannot afford to pay court costs.☒ I cannot furnish an appeal bond or pay a cash deposit to appeal a justice court decision.My name is YAZAN A. A. SHAREF My date of birth is : 9 / 14 / 1991.My address is 601 N. Santa Rosa, Apt. B2 San Antonio Texas 78207
Street City State Zip Code Country

Div. 1 2/4/21 signed on 2/4/21 in Bexar County, Texas
 Signature Month/Day/Year county name State